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February 28, 2007

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Honorable Laura T. Swain
 United States District Judge
 United States Courthouse
 500 Pearl Street, Room 755
 New York, New York 10007-1312

MEMO ENDORSED

IT IS ORDERED that counsel to whom this Memo Endorsement is sent is responsible for faxing or otherwise delivering promptly a copy to all counsel and unrepresented parties and filing a certificate of such service within 5 days from the date hereof. Do not fax such certification to Chambers.

Re: *Michael Williamson, et al. v. Recovery Limited Partnership, et al.*
 06 Civ. 5724 (LTS)
 Our File No.: 508860-00001

Dear Judge Swain:

We are counsel for the Williamson Plaintiffs in the referenced matter. We write in furtherance to the telephone conversation yesterday involving counsel for the parties and Tyler Friedman, Esq. of Your Honor's chambers regarding the initial pre-trial conference scheduled for this Friday, March 2, 2007, at 10:30 a.m. As counsel for the parties explained to Mr. Friedman yesterday, the parties agree that the deadline for the submission and the date for the conference be adjourned *sine die* for the following reasons:

1. This is a Supplemental Admiralty Rule B attachment proceeding for purposes of obtaining security in a matter that is pending before the Hon. Edmund A. Sargus, Jr., U.S.D.J., in the U.S. District Court for the Southern District of Ohio, and the matter will be tried on the merits in that court and not in the Southern District of New York.

2. The parties have appealed the entirety of Your Honor's Order dated January 16, 2007 regarding Defendants' motions, *inter alia*, to vacate Your Honor's orders of attachment, to dismiss Plaintiffs' lawsuit, and for fees and expenses. Defendants have appealed, *inter alia*, the continuation of the attachment order with regard to certain of the Defendants and the denial of Defendants' motion to dismiss and motion for fees and expenses. Plaintiffs have just filed a cross-appeal seeking to reverse the vacatur of the attachment orders with respect to those Defendants specified in Your Honor's Order dated January 16, 2007.

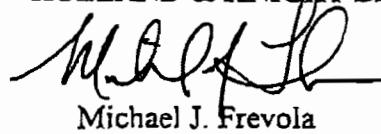
Honorable Laura T. Swain
February 28, 2007
Page 2

3. The parties do not anticipate any discovery to be taken in conjunction with this proceeding or any summary judgment motions to be filed with this Court. Additionally, as mentioned above, trial in this dispute is to occur before Judge Sargus in the Southern District of Ohio.

In light of the unique nature of this proceeding, and in light of the parties having appealed to the Second Circuit regarding essentially all of the issues that this supplemental proceeding is likely to be asked to address, the parties jointly request that Your Honor adjourn the scheduled pre-trial conference. Rather than rescheduling the conference, the parties respectfully request permission to provide a status report to Your Honor on or before August 28, 2007 with regard to the status of the Ohio primary proceeding and the Second Circuit appeal.

The parties are grateful for Your Honor's consideration of this request.

Respectfully submitted,
HOLLAND & KNIGHT LLP



Michael J. Frevola

cc: **ALL VIA TELECOPIER:**

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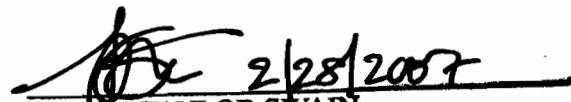
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Collectively Attorneys for All Defendants

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*The requests are granted.
The case is hereby placed
on the suspense calendar
pending receipt of the
status report.*

SO ORDERED.



LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE